

U.S. Patent Application Serial No. 09/778,562
Applicant: Cohen, et al.

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REMARKS

The undersigned attorney thanks Examiner Sax for his careful review of this patent application. Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1-41, 44, 46-48, 53 and 54 are currently pending in this Application with claims 1, 3, 8, 24-26, and 44 being amended by this *Response and Amendment*. Prior to entry of this *Response and Amendment*, claims 1-3, 5-11, 24-29, 44, 46-48, 53 and 54 were rejected and claims 4, 12-23, and 30-41 were allowed.

15 Examiner Interview on April 13, 2005

During the telephone conference on April 13, 2005, Examiner Sax and the undersigned attorney discussed the pending claims and the cited references. As discussed, the Matsumoto reference and the Murphy reference disclose a single user interaction and are generally concerned with a referral to a web site. For example, a web site using the disclosure of Matsumoto or Murphy may identify a user as being referred from a particular third party website and track whether the user completed a transaction on the destination website. The van Dwyne reference discloses the use of customer surveys directed towards a user to obtain feedback about the website. For example, a pop-up screen may appear to the user while the user is interacting with a particular website, wherein the pop-up screen permits the user to comment on his or her experience when visiting the particular website.

Conversely, the pending claims are directed toward a system and method for analyzing a plurality of user accesses navigating a plurality of objects of interest of a single website. Accordingly, the present invention monitors user interaction and navigation with a website and makes recommendations for modifying links between objects of interest within the website to improve a user's navigational experience with the website.

Examiner Sax indicated that the present amendments likely overcome the present rejections. Accordingly, Applicants respectfully submit that the claims as amended are in condition for allowance and, therefore, the Applicants request that the claims be advanced to issuance.

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Allowance of Claims 4, 12-23, and 30-41

The Applicants gratefully acknowledge the Examiner's allowability of claims 4, 12-23, and 30-41.

10 **Claim Rejections**

Claims 1-3, 5-11, 24-29, 44, 46-48, 53 and 54 were initially rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy (U.S. Patent No. 6,615,247), Matsumoto et al. (U.S. Patent No. 6,763,334), and van Duyne et al. (U.S. Patent No. 6,859,784).

15 The Examiner asserts that Murphy shows a method for modifying the structure of a network accessible website based on the analysis of activity associated with the website. Murphy is directed towards "automatically customizing a vendor's web site, based on a web site customer's previous location or terms used in a search by the customer." (See Abstract). In essence, Murphy teaches that customization is done by analyzing the referral URL for a visitor arriving to the web site and tailoring the content of the page the user receives based on the
20 location and search keywords found in the referral URL.

The Examiner asserts that Matsumoto et al. shows the monitoring of sequential user access of objects of interest for efficient monitoring of an advertising object of interest on the web. Matsumoto et al. is directed towards "arranging advertisements on a network for a potential media owner or affiliate to sell ad space on a network media to an advertiser." (See Abstract). In
25 essence, Matsumoto et al. teaches that customization of a third-party advertisement is done by measuring the number of specific responses made at the advertiser's website through the ad space.

In contrast, the present invention is directed toward a system and method that tracks user movement *within* a website and customizes structural characteristics of the website to improve
30 the user experience. Accordingly, certain embodiments of the present invention are directed toward customizing a web site based on how users *navigate* the content of the website. Contrarily, in Murphy and Matsumoto et al., a web site is customized based on a single user interaction and generally how the user arrived at the website.

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5 The Examiner asserts that van Duyne et al. shows monitoring for one specific website, and that the structural relationships that are modified are thus for objects of interest within that one site to give efficient feedback. As disclosed in the abstract, van Duyne et al. is directed towards "automatically gathering research data for a website...[by] forming questions in a question set that are a measure of a research metric to be gathered for the website." More
10 particularly, van Duyne et al. discloses a method of performing customer surveys about using the website.

 In contrast, the present invention is directed toward a system and method that tracks access by a plurality of users to a plurality of objects of interest on a website. The present invention does not rely on a questionnaire to acquire information about a user's experience at a
15 website, but, rather, tracks access by the user to the plurality of objects of interest on a website. Accordingly, certain embodiments of the present invention are directed toward customizing a web site based on how users *navigate* the content of the web site. Contrarily, in van Duyne et al., a web site is customized based on user submitted answers to generated questions concerning the user's experience.

20 Accordingly, claims 1 and 44 have been amended to more particularly describe these features of the present invention. Claims 1 and 44 have been amended to further define the elements of: "identifying one or more structural relationships for navigating the plurality of objects of interest;" "identifying a plurality of sequential user accesses navigating the plurality of objects of interest;" "maintaining data representative of said objects of interest, structural
25 relationships, and user navigational accesses;" and "applying a set of rules to said data to generate a recommendation for modifying the structural relationships between objects of interest to influence future user navigation." Applicants respectfully submit that amended claims 1 and 44 are patentably distinguishable over the cited art and Applicants respectfully request passing of the case to issuance in due course of Patent Office business. Dependent claims 3, 8, and 24-26
30 have been amended to reflect the language of amended claim 1. Also, Applicants respectfully submit that dependent claims 2-3, 5-11, 24-29, 46-48, 53 and 54 are also allowable for the various additional limitations contained therein, which further distinguish the prior art. Additionally, previously rejected dependent claims 2-3, 5-11, 24-29, 46-48, 53 and 54 depend upon independent claims 1 and 44 are also believed to be allowable for the foregoing reasons.

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- 5 Therefore, Applicants respectfully submit that the rejections should be withdrawn and Claims 1-3, 5-11, 24-29, 44, 46-48, 53 and 54 are in condition for allowance.

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FEES

This *Response and Amendment* is being filed within six months of the *Office Action*, and more specifically within three months, thus no extension fees are believed due.

Through the present *Response and Amendment* two independent claims and five dependent claims have been amended, but no additional claims have been added. Thus, no claim
10 fees are believed due.

Nonetheless, should any further fees be due, authorization to charge deposit account No. 20-1507 is hereby expressly given.

CONCLUSION

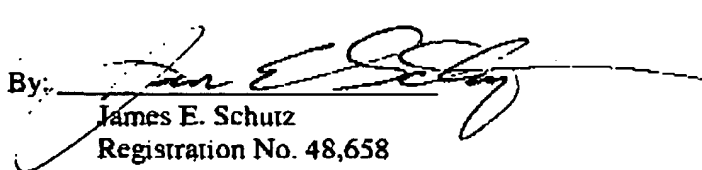
15 The foregoing is submitted as a full and complete response to the *Official Action* mailed April 6, 2005. It is respectfully submitted that claims 1-3, 5-11, 24-29, 44, 46-48, 53 and 54 are in condition for allowance and that each point raised in the *Office Action* with regard to these claims has been fully addressed. Therefore, it is respectfully requested that the rejections be withdrawn and that the case be processed to issuance in accordance with Patent Office Business.

20 If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact James Schutz at 404.885.3498.

Respectfully submitted,

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